

REMARKS

By the present amendment, independent claim 1 has been amended to incorporate the subject matter of claim 13 therein and, accordingly, claim 13 has been cancelled. Entry of these amendments is respectfully requested.

Initially, applicants acknowledge with appreciation the indication that, as indicated on page six of the Action, claims 4, 5, 8, 11 and 13 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As noted above, independent claim 1 has been amended herein to incorporate the subject matter of claim 13 and, accordingly, claim 13 has been canceled.

In the Office Action, claims 1 and 3 were rejected under 35 USC § 103(a) as being unpatentable over the '055 patent to Arai et al in view of the patent to Mukoyoshi et al. In addition, claims 6, 7, 9 and 10 were rejected under 35 USC 103(a) as being unpatentable over the patent to Arai et al further in view of the patent to DeMatte and the Aerosil/Degussa website. Although the initial statement of the rejection did not cite the Mukoyoshi et al patent, the discussion did reference this patent. Thus, it was presumed that the above Mukoyoshi et al patent was intended to be cited in this rejection. Reconsideration of these rejections in view of the above claim amendments and the following comments is respectfully requested.

As noted above, independent claim 1 has been amended herein to incorporate the subject matter of allowable claim 13. Thus, it is submitted that the above rejections are now moot. Accordingly, withdrawal of the rejections under 35 U.S.C. § 103(a) and allowance of claims 1 and 3-12 over the cited patents are respectfully requested.

In view of the foregoing, it is submitted that the subject application is now in condition for allowance and early notice to that effect is earnestly solicited.

In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,

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